

House Study Bill 625 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON HIGHFILL)

A BILL FOR

- 1 An Act concerning county supervisor representation and
- 2 districting plans.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I

2 SELECTION OF COUNTY SUPERVISOR REPRESENTATION PLANS

3 Section 1. Section 331.206, subsection 2, paragraph a, Code
4 2018, is amended to read as follows:

5 a. The plan used under subsection 1 shall be selected by the
6 board or by a special election as provided in section 331.207.
7 A plan selected by the board shall remain in effect for at
8 least six years unless it is changed by a special election as
9 provided in section 331.207. However, for a county that elects
10 supervisors under plan "three" and has a population of one
11 hundred fifty thousand or more based on the most recent federal
12 decennial census, the selection of plan "three" shall not be
13 changed by the board or by a special election as provided in
14 section 331.207.

15 DIVISION II

16 COUNTY SUPERVISOR REPRESENTATION DISTRICTING PLANS

17 Sec. 2. Section 68B.32A, subsection 16, Code 2018, is
18 amended to read as follows:

19 16. Establish an expedited procedure for reviewing
20 complaints forwarded by the state commissioner of elections
21 to the board for a determination as to whether a supervisor
22 district plan adopted pursuant to section 331.210A that differs
23 from a supervisor district plan prepared by the legislative
24 services agency was drawn for improper political reasons
25 as described in section 42.4, subsection 5. The expedited
26 procedure shall be substantially similar to the process used
27 for other complaints filed with the board except that the
28 provisions of section 68B.32D shall not apply.

29 Sec. 3. Section 331.209, subsection 4, Code 2018, is amended
30 to read as follows:

31 4. Each temporary county redistricting commission shall
32 notify the state commissioner of elections when the boundaries
33 of supervisor districts are changed, shall provide a map
34 delineating the new boundary lines, and shall certify to
35 the state commissioner of elections the populations of the

1 new supervisor districts as determined under the latest
2 federal decennial census. Upon failure of a temporary county
3 redistricting commission to make the required changes by
4 the dates specified by this section and sections 331.203
5 and 331.204 as determined by the state commissioner of
6 elections, the state commissioner of elections shall make or
7 cause to be made the necessary changes as soon as possible,
8 and shall assess to the county the expenses incurred in so
9 doing. The Except for a representation plan drawn pursuant
10 to section 331.210A, subsection 2, paragraph "f", the state
11 commissioner of elections may request the services of personnel
12 and materials available to the legislative services agency
13 to assist the state commissioner in making required changes
14 in supervisor district boundaries which become the state
15 commissioner's responsibility.

16 Sec. 4. Section 331.210A, subsection 2, paragraph f,
17 subparagraph (1), Code 2018, is amended to read as follows:

18 (1) (a) ~~Notwithstanding the provisions of this section~~
19 ~~to the contrary, for~~ For purposes of this paragraph "f",
20 "qualifying county" means a county with a population of one
21 hundred fifty thousand or more based on the most recent federal
22 decennial census that elects supervisors under plan "three"
23 as defined in section 331.206, or a county with a population
24 of one hundred eighty thousand or more that has adopted a
25 charter for a city-county consolidated form of government or
26 a community commonwealth form of government and which charter
27 provides for representation by districts.

28 (b) Notwithstanding any provision of this section to the
29 contrary, for a qualifying county, the legislative services
30 agency, and not the temporary county redistricting commission,
31 shall draw a representation plan as provided by paragraph "a"
32 pursuant to a contract executed with the county.

33 (c) A county subject to the requirements of this paragraph
34 "f" shall notify the state commissioner of elections that a
35 representation plan to be drawn pursuant to this paragraph

1 "f" is required and shall submit to the state commissioner
2 of elections the precinct plan to be used to draw the
3 representation plan. Upon notification and submission of a
4 precinct plan, the state commissioner of elections shall review
5 and approve the precinct plan to be used. Following approval
6 of the precinct plan to be used, the state commissioner
7 of elections shall notify the legislative council which
8 shall direct the legislative services agency to prepare a
9 representation plan for the county.

10 (d) The plan drawn by the legislative services agency
11 shall be based upon the precinct plan adopted and approved
12 for use by the county and shall be drawn in accordance with
13 section 42.4, to the extent applicable. After the legislative
14 services agency has drawn the plan, the legislative services
15 agency shall at the earliest feasible time make available to
16 the public all of the information required to be made public
17 by paragraph "b".

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill concerns county supervisor representation and
22 districting plans.

23 Division I of the bill concerns the manner of selecting
24 county supervisors. Code section 331.206 specifies that the
25 county supervisors may be elected pursuant to plan "one",
26 election at large; plan "two", election at large with district
27 residence requirements; or plan "three", election from
28 single-member districts.

29 The bill provides that for a county that elects supervisors
30 under plan "three" and has a population of 150,000 or more, the
31 selection of plan "three" shall not be changed by the board of
32 the county or pursuant to a special election as provided in
33 Code section 331.207.

34 Division II of the bill concerns the manner of adopting
35 redistricting plans for certain counties. Code section

1 331.210A(2)(f) is amended to provide that the procedure
2 for adopting a representation plan for a county that has a
3 population that exceeds 180,000 or that has adopted a charter
4 for a city-county consolidation form or community commonwealth
5 form that provides for representation by districts shall also
6 apply to a county with a population of 150,000 or more that has
7 adopted a plan "three" form of representation. The procedure
8 provides that the county's initial plan for districts, and the
9 county's first plan for districts after each federal decennial
10 census, shall be drawn by the legislative services agency based
11 upon an approved precinct plan for the county and the standards
12 applicable to congressional and legislative redistricting. If
13 the plan drawn by the legislative services agency is rejected
14 by the governing body, the governing body shall direct the
15 legislative services agency to prepare another plan as provided
16 by current law.

17 Code section 68B.32, concerning complaints for improper
18 political reasons relative to an adopted supervisor district
19 plan, is amended to make the complaint process inapplicable
20 to plans prepared by the legislative services agency. In
21 addition, Code section 331.209 is amended to provide that
22 the state commissioner of elections shall not be permitted
23 to request assistance from the legislative services agency
24 relating to a representation plan drawn pursuant to Code
25 section 331.210A(2)(f).